

EXHIBIT 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,
RICARDO GONZALES, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS LOCAL 38 HEALTH AND
WELFARE FUND, INTERNATIONAL
UNION OF OPERATING ENGINEERS
LOCAL 295-295C WELFARE FUND, AND
STEAMFITTERS FUND LOCAL 439, on
Behalf of Themselves and All Others Similarly
Situating,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 17-cv-2246

Judge Edmond E. Chang
Magistrate Judge Sheila Finnegan

**DECLARATION OF MICHAEL S. LEIB
IN SUPPORT OF WALGREENS'
REPLY IN SUPPORT OF ITS MOTION
TO EXCLUDE LYNETTE HILTON'S
EXPERT REPORT AND TESTIMONY
PURSUANT TO FEDERAL RULE OF
EVIDENCE 702**

I, Michael S. Leib, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a partner at the law firm of Reed Smith LLP and admitted to practice before this Court. I submit this Declaration in support of Defendant Walgreen Co.'s Reply in Support of Its Motion to Exclude Lynette Hilton's Expert Report and Testimony Pursuant to Federal Rule of Evidence 702. I have personal knowledge of the facts set forth herein and could testify competently to them if called to do so.

2. Attached as **Exhibit A** is a true and correct copy of excerpts of the January 17, 2023 deposition of Lynette Hilton, Ph.D.

3. Attached as **Exhibit B** is a true and correct copy of excerpts of the April 28, 2023 deposition of Jed Smith.

4. Dkt. 627-1 is a true and correct copy of the April 24, 2023 Amended Expert Report of Jed Smith.

Executed on this 14th day of September, 2023, in New York, New York.

/s/ Michael S. Leib
Michael S. Leib

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of September, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

s/ Michael S. Leib
Michael S. Leib